

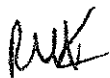

**PLANNING BOARD
RESOLUTION No. 2013-10**

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING ONE TRANSIENT BUSINESS TAX RECEIPT TRANSFER FROM PROPERTY LOCATED AT 1105 TRUMAN AVENUE (RE# 00021040-000100) TO PROPERTY LOCATED AT 506 CATHERINE STREET (RE#00028500-000000), PURSUANT TO SECTIONS 122-1339 OF THE CODE OF ORDINANCES OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-1339 (a) of the Code of Ordinances allows a transient business tax receipt to be transferred from an area where transient uses are restricted or prohibited to a receiver site where transient residential use is permitted without the accompanying transfer of the unit; and

WHEREAS, Section 122-1339 (b) requires that the Planning Board consider the relative size of the unit from which the license is transferred and the room configuration of both sites to maintain approximately the same or less net number of occupants; and

WHEREAS, the transient use at the sender site is a legal non-conforming use and a permitted use at the receiving site; and


Chairman

Planning Director

WHEREAS, the sender site is a two bedroom single-family dwelling; and

WHEREAS, the receiving site is a two bedroom single-family dwelling; and

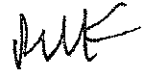
WHEREAS, the applicant proposed to operate the receiving site as one, two-bedroom transient unit; and


WHEREAS, the applicant proposed a transfer of one business tax receipt in order to maintain approximately the same or less net number of occupants.

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. That a transfer of transient business tax receipt, pursuant to Section 122-1339 of the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: ALLOWING A TRANSFER OF ONE TRANSIENT BUSINESS TAX RECEIPT FROM ONE TWO-BEDROOM DWELLING-UNIT AT PROPERTY LOCATED AT 1105 TRUMAN AVENUE (RE# 00021040-000100) TO ONE TWO-BEDROOM DWELLING-UNIT AT PROPERTY LOCATED AT 506 CATHERINE STREET (RE#00028500-000000), PER THE

 Chairman

 Planning Director



ATTACHED PLANS.

Section 3. Full, complete, and final application for all licenses and permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4. This transfer of one transient business tax receipt does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission

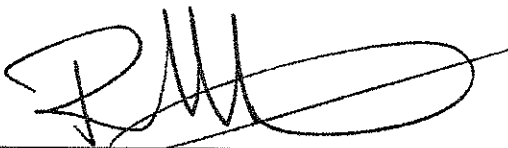
Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or


Chairman

Planning Director

order.

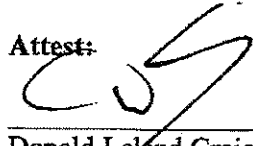
Read and passed on first reading at a regularly scheduled meeting held this 21st day of February, 2013.

Authenticated by the Chairman of the Planning Board and the Planning Director.


Richard Klitenick, Chairman
Key West Planning Board

3/5/13
Date


Attest:


Donald Leland Craig, AICP
Planning Director

2-22-13

Date

Filed with the Clerk:


Cheryl Smith, City Clerk

3-6-2013
Date

Chairman


Planning Director

PHILLIPS & TRICE SURVEYING, INC.

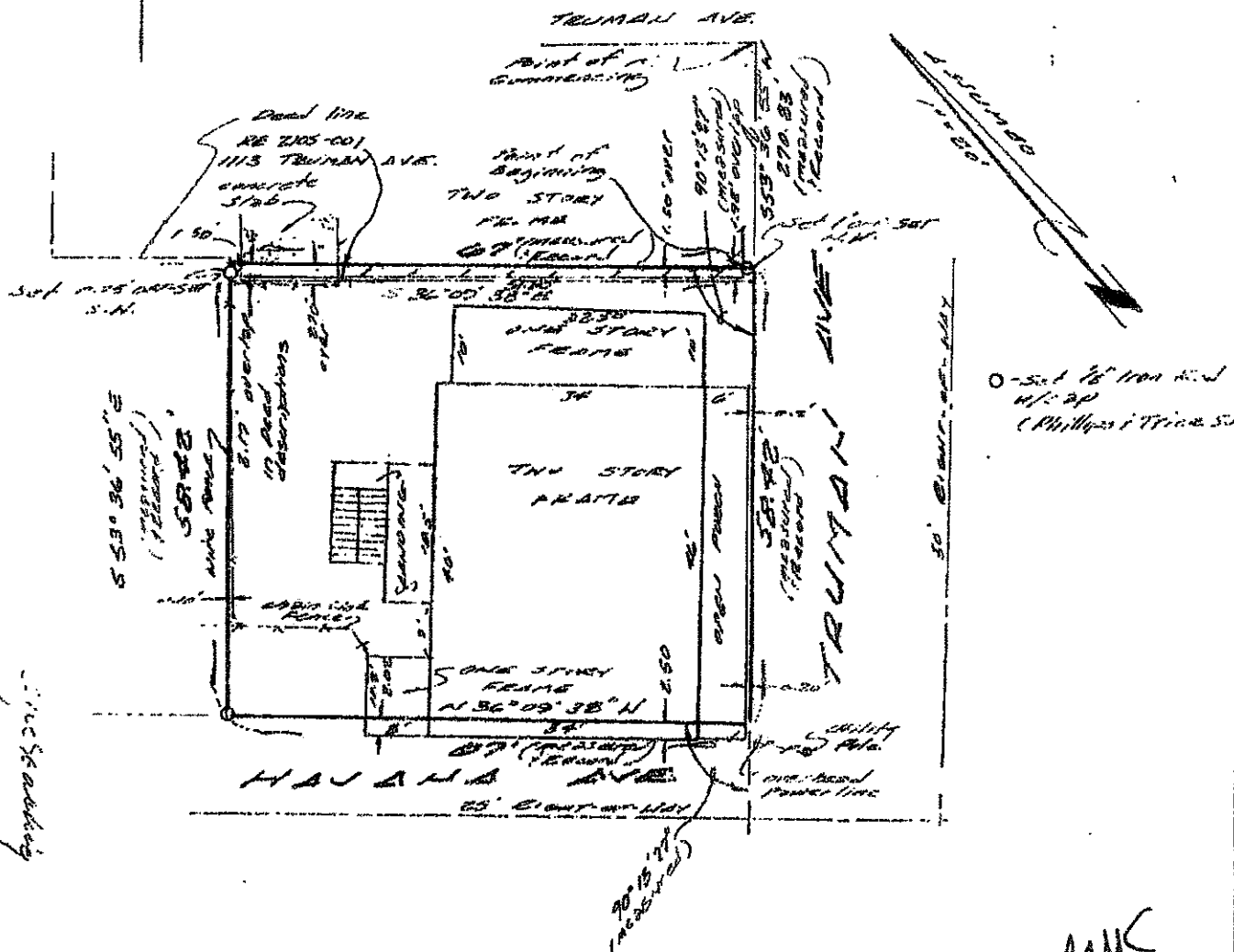
Professional Land Surveyors
1204 Simonton Street
Key West, Florida 33040
(305) 294-4747

738049

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JACK M. PHILLIPS, P.L.S.
FLORIDA CERTIFICATE NO. 1410

JOE M. TRICE, P.L.S.
RIBBON CERTIFICATE NO 7110

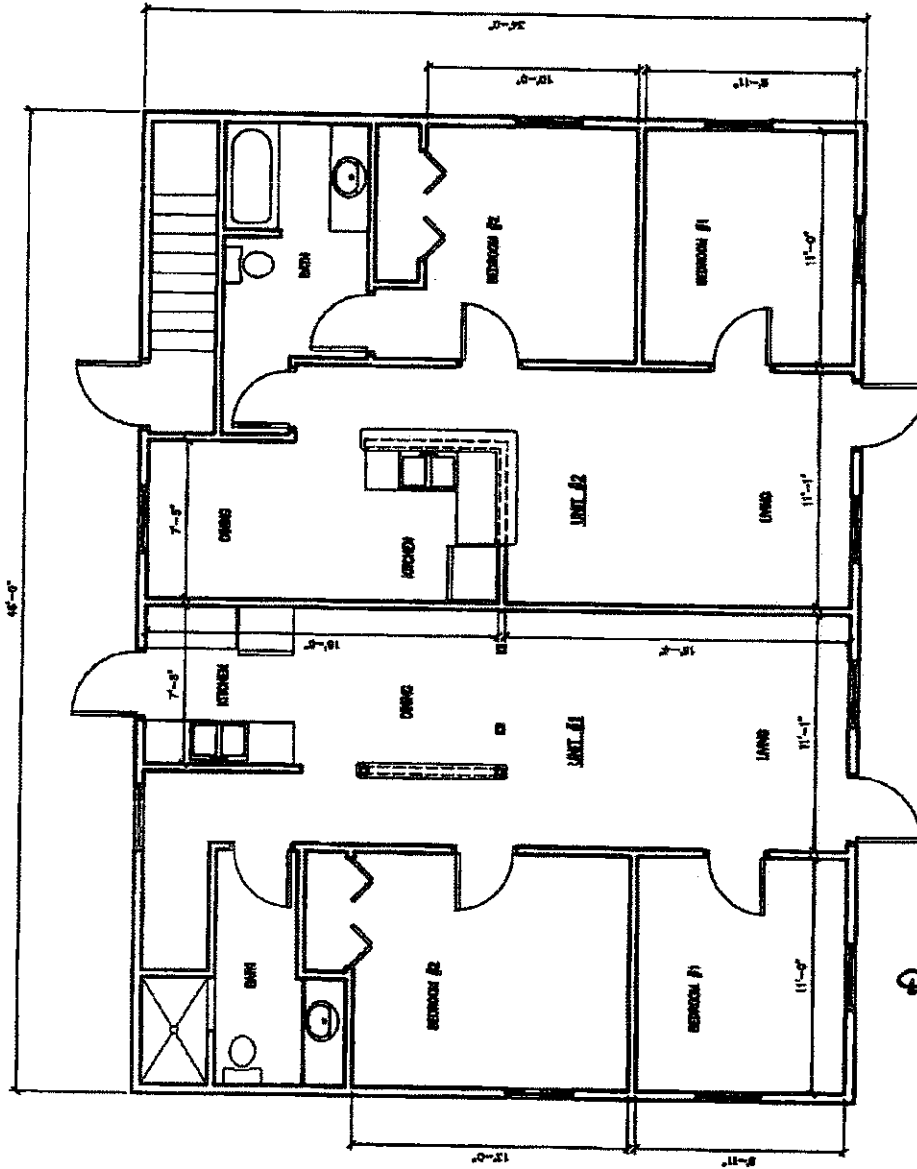


- NOTES: 1. Flood Insurance Rate Map Zone: X.
2. X Street address: 1103-1107 Truman Avenue, Key West, Florida.
3. Date of field work: March 11, 1992.

BOUNDARY SURVEY OF: On the Island of Key West and known as Lots 1 and 2, Part of Tract 6, according to William A. Whitehead's map of said Island delineated February, 1829, also part of a legal description recorded in Book 602, at Page 355 of the Public Records of Monroe County, Florida, and being more particularly described as follows: COMMENCING at the Northwest corner of Truman Avenue and White Street; thence South 53 degrees 36 minutes 55 seconds West along the Northwesterly right of way of Truman Avenue for 270.83 feet to the Point of Beginning; thence continue South 53 degrees 36 minutes 55 seconds West for 58.42 feet to the Easterly right of way of Havana Avenue; thence North 36 degrees 09 minutes 38 seconds West along the said Easterly right of way of Havana for 67.00 feet; thence North 53 degrees 36 minutes 55 seconds East for 58.42 feet; thence South 36 degrees 09 minutes 38 seconds East for a distance of 67.00 feet back to the Point of Beginning.

BOUNDARY SURVEY FOR: DAVID J. and EVELYN C. PFENT

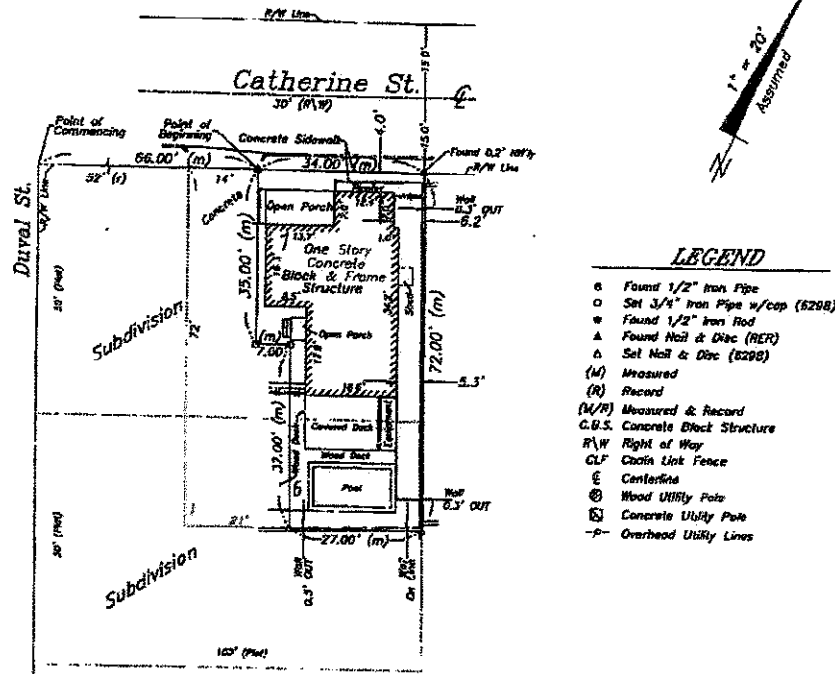
HEREBY CERTIFY to Barnett Bank of the Keys, its successors and/or assigns; Feldman & Loenig, P.A.; First American Title Insurance Company; David J. Pfent; and Evelyn C. Pfent that on March 14, 1992 an accurate survey of the premises shown in this sketch of survey was made under my supervision that this survey meets the standards of the National Standard of Practice for Land Surveyors.



1105 Truman
Sender Site Units

Handwritten signature/initials

Boundary Survey Map of part of Square 8, Tract 11 D.T. Sweeney's Diagram



NOTES:

1. The legal description shown hereon was authored by the undersigned.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 506 Catherine Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Date of field work: January 3, 2012.
9. Ownership of fences is undeterminable, unless otherwise noted.

BOUNDARY SURVEY OF: On the Island of Key West and being a part of Subdivision 7 and part of Subdivision 6 in Square 8 of Tract 11 according to D.T. Sweeney's diagram of said Tract eleven (11); said parcel being more particularly described by metes and bounds as follows:
Commencing at the intersection of the Southeastly right of way line of Catherine Street and the Northeastly right of way line of Duval Street and running thence Northeastly along the said Southeastly right of way line of Catherine Street for a distance of 66.00 feet to the Point of Beginning; thence continue Northeastly along the said Southeastly right of way line of Catherine Street for a distance of 34.00 feet; thence Southeastly and at right angles for a distance of 72.00 feet; thence Southwestly and at right angles for a distance of 27.00 feet; thence Northwestly and at right angles for a distance of 37.00 feet; thence Southwestly and at right angles for a distance of 7.00 feet; thence Northwestly and at right angles for a distance of 35.00 feet back to the Point of Beginning.

BOUNDARY SURVEY FOR: Brian K. Boyer Living Trust & C. Todd Kemp Living Trust

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM
Florida Reg. #6208

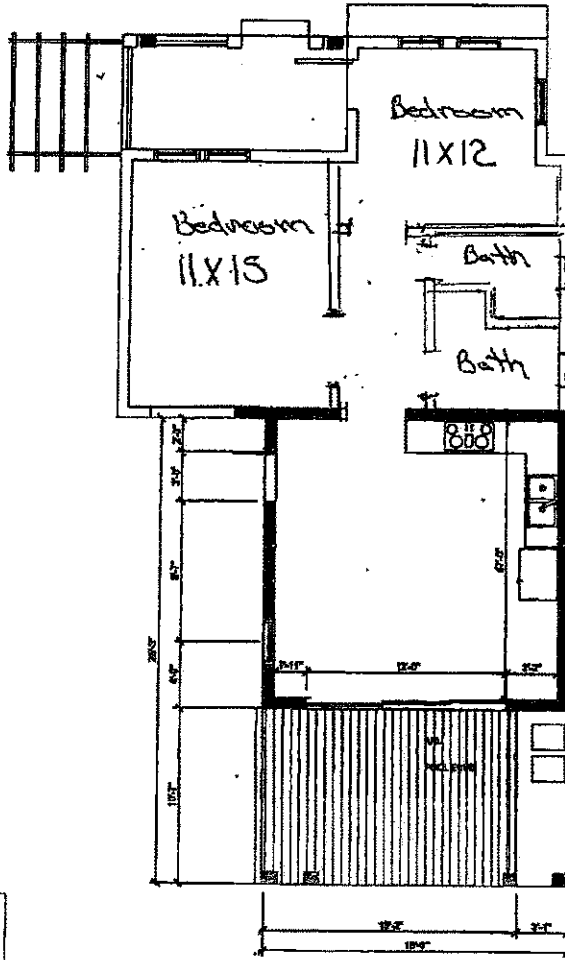
January 12, 2012

THIS SURVEY
IS NOT
ASSIGNABLE

J. LYNN O'FLYNN, Inc.

Professional Surveyor & Mapper
PSM #6208

3430 Dick Ave., Key West, FL 33040
(305) 266-7422 FAX (305) 296-2744



 **FLOOR PLAN**
1/4" = 1'-0"



Carlos O. Rojas, AIA
Architect
504-506 Catherine Street
Key West, FL 33040
(305) 283-1878
carlos@carlosrojas.com

Carlos O. Rojas, AIA
504-506 Catherine Street
Key West, Florida 33040

Project Number
504-000
Date
2/28/2011
Drawn By
COR

A1

Handwritten signature and initials